

अण्डमान तथा निकोबार राजपत्र  
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अण्डमान तथा निकोबार प्रशासन  
ANDAMAN AND NICOBAR ADMINISTRATION  
सचिवालय/SECRETARIAT

**NOTIFICATION**

Port Blair, dated the 25<sup>th</sup> August, 2005

No. 248/05/F. No. 3.-425/2005-Labour.—WHEREAS a conciliation proceeding initiated by the Conciliation Officer, ALC-II, Port Blair between the Management of Sen Sea Marine Pvt. Ltd., Port Blair and Shri P.C. Ommen Tharakan and Shri Anup Kumar Biswas raised by the Centre of Joint Trade Union Council over the alleged illegal termination from service of Shri P.C. Ommen Tharakan and Shri Anup Kumar Biswas, has failed.

AND WHEREAS the Conciliation Officer has forwarded a failure report on the conciliation proceedings vide No. ID-01/2005-ALC-II/561 dated 31-05-2005 to Government recommending to refer the case to Labour Court for adjudication under sub-section (4) of Section 12 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947).

NOW, THEREFORE, in exercise of the powers conferred under sub-section (1) of section 10 read with sub-section (5) of section 12 and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) read with the Notification No. LR-1 (59)/55 dated 13<sup>th</sup> December, 1955 of the Government of India, Ministry of Labour, the Lieutenant Governor, A&N Islands, after consideration of the report orders to refer the said dispute, in the following schedule of reference, to the Labour Court, Andaman and Nicobar Islands, Port Blair, for adjudication and submission of award within a period of three months from the date of publication of this Notification in the Official Gazette.

**SCHEDULE OF REFERENCE**

“Whether the action of Captn. Arnab Sen, Managing Director of M/s Sen Sea Marine Pvt. Ltd. Port Blair in terminating the services of Shri P.C. Ommen Tharakan and Shri Anup Kumar Biswas with effect from 1-4-2003 without following the provisions of ID Act, 1947 is legal and justified? If so, to what relief the workmen concerned are entitled to ?”.

By order of the Lieutenant Governor,

Sd/-  
(Mohammed Khan)  
Assistant Secretary (Labour).